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Office of the General Counsel
400 Collins Rd. NE M/S 124-323
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To:	Mail Stop: Petition Group 2624	From:	Sheila Mathews
Location:	US Patent Office	Location:	124-323
Fax:	571-273-8300	Fax:	319-295-8777
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Pages:	10 (including Lead)	Date:	February 13, 2008

Applicant: McCusker

Serial No. 10/706,504

Filed: November 12, 2003

Docket No.: 03CR163/KE

For: Validation Of Terrain And Obstacle Databases

Item: Petition to Withdraw Holding of Abandonment comprising of 2 pages (in duplicate), Copy of Notice Of Abandonment dated 12/17/07, 4 pages of docket report showing last action (LA) in docket was amendment filed May 21, 2007


Sheila K. Mathews****NOTICE TO RECIPIENT****

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FEB 13 2008

Practitioner's Docket No. 03CR163/KE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick D. McCusker

Application No.: 10/706,504

Group No.: 2624

Filed: 11/12/2003

Examiner: C. Wang

For: Validation Of Terrain and Obstacle Databases

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
— NOTICE OF ALLOWANCE NOT RECEIVED

1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Notice of Allowance forming the basis of the abandonment was not received.
2. I hereby state:
 - (a) The Notice of Allowance indicated, as mailed on no indication when Notice of Allowance was mailed, was not received.
 - (b) A search of the file jacket and the docket records in my office indicates that this Notice of Allowance was not received.
3. I attach a copy of the docket record where the non-received Office Action would have been entered had it been received and docketed.
4. As additional evidence of non-receipt of the Office Action, I also attach:

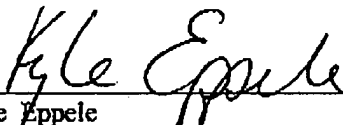
A copy of Notice of Abandonment which does not indicate when the Notice of Allowance was mailed or when the Issue Fee was due.

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on
<u>February 13 2008</u>
Date of Deposit
<u>Sheila Mathews</u>
Signature
<u>Sheila Mathews</u>
Type or printed name of person signing Certificate

5. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.
6. No petition fee required (37 C.F.R. § 1.181) however, authorization is hereby made to charge the Deposit Account No. 18-1722.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.



Kyle Eppeler
Registration No. 34155
Rockwell Collins, Inc.
400 Collins Road NE
M/S 124-323
Cedar Rapids, IA 52498
319-2295-8280
Customer No. 26383

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FEB 13 2008

Practitioner's Docket No. 03CR163/KE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick D. McCusker

Application No.: 10/706,504

Group No.: 2624

Filed: 11/12/2003

Examiner: C. Wang

For: Validation Of Terrain and Obstacle Databases

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450PETITION TO WITHDRAW HOLDING OF ABANDONMENT
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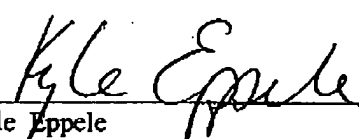
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Kyle Eppele
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,504	11/12/2003	Patrick D. McCusker	03CR163/KE	7221

7590 12/17/2007
ROCKWELL COLLINS, INC.
Attention: Kyle Eppele
M/S 124-323
400 Collins Rd. NE
Cedar Rapids, IA 52498

EXAMINER

WANG, CLAIRE X

ART UNIT	PAPER NUMBER
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2624

MAIL DATE	DELIVERY MODE
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12/17/2007

PAPER

Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on _____
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
 - (1) a timely filed amendment which places the application in condition for allowance;
 - (2) a timely filed Notice of Appeal (with appeal fee);
 - (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____.
The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawing have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

Best Available Copy

03CR163	Validation Of Terrain And Obstacle Databases	McCluskey, P.	CS	F	0308	KE	AA	2003/02/14
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CR	2003/1/12	10/7/08, 604	NOJ	LA	2007/05/21	Property Rights Statement - SKM, Amendment A - NOJ
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SKM - Property Rights Statement
NO. A
2007/05/21
USA

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MAINTENANCE PERIOD (1 YEAR)	EXP. RED. DATE	STATUS	DATE
	SB		2003/11/13